

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT

2004 NOV 1 PM 1 39

UNITED STATES OF AMERICA)

v.)

Wael FAKIH)
Defendant)

Criminal No. 1:03-CR-68-4

CLERK

DEPUTY CLERK

MOTION TO DISMISS INDICTMENT

The United States of America, by and through its attorney, David V. Kirby, Acting United States Attorney for the District of Vermont, hereby moves to dismiss the Indictment in this case as to defendant Wael Fakh. The basis for the government's motion is as follows:

1. Pursuant to an agreement among the parties, on September 30, 2004, Mr. Fakh pled no contest to the state charges of possession of marijuana and was sentenced to serve two to six months in prison, with all but fifty days suspended. He will be placed on probation when he finishes serving his sentence. These charges are for the same conduct contained in the Indictment.

Dated at Burlington, in the District of Vermont, this 1st day of November, 2004.

Respectfully submitted,

UNITED STATES OF AMERICA

DAVID V. KIRBY
Acting United States Attorney

By:

THOMAS D. ANDERSON
Assistant U.S. Attorney
P.O. Box 570
Burlington VT 05402-0570
(802) 951-6725

GRANTED.

Dated at Brattleboro, Vermont this 1st day of November, 2004.

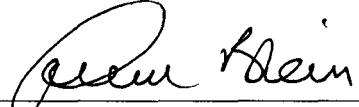
J. Garvan Murtha, U.S. District Judge

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT

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v.)	Criminal No. 1:03-CR-68
)	
Wael FAKIH)	
Defendant)	

CERTIFICATE OF SERVICE

I, Jeanine M.W. Blais, do hereby certify that I have served a copy of the foregoing Motion to Dismiss Indictment on the Defendant by mailing a copy thereof to Nancy J. Waples, Esq., PO Box 1124, Burlington, VT 05402, counsel for the Defendant, this 1st day of November, 2004.



Jeanine M.W. Blais
Secretary to the U.S. Attorney